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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

INDEX NEWSPAPERS LLC, a Washington limited-liability company, dba **PORTLAND MERCURY; DOUG BROWN; BRIAN CONLEY; SAM GEHRKE; MATHIEU LEWIS-ROLLAND; KAT MAHONEY; SERGIO OLMOS; JOHN RUDOFF; ALEX MILAN TRACY; TUCK WOODSTOCK; JUSTIN YAU;** and those similarly situated,	**3:20-cv-1035-SI**
Plaintiffs,	
v.	**PLAINTIFFS' AND DEFENDANT CITY OF PORTLAND'S JOINT PROPOSED SCHEDULING ORDER FOR SETTLEMENT DISCOVERY**
CITY OF PORTLAND, a municipal corporation; **JOHN DOES 1-60,** officers of Portland Police Bureau and other agencies working in concert; **U.S. DEPARTMENT OF HOMELAND SECURITY;** and **U.S. MARSHALS SERVICE,**	
Defendants.	

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Pursuant to the minute order from Judge Acosta (ECF No. 50), a telephonic conference was held between the parties on July 29, 2020, for the planning of discovery in this action. Matthew Borden, Athul Acharya, and Gunnar Martz attended for Plaintiffs. Naomi Sheffield, Deputy City Attorney, attended for Defendant City of Portland. Defendant City of Portland understands the scope and date to be agreed to by counsel, except as otherwise noted.

I.   Scope of Settlement Conference Discovery

For the purposes of obtaining information necessary for a productive settlement conference, the parties agree as follows:

1. Plaintiffs will require from the City answers to interrogatories; requests for admission; discovery of documents, electronically stored information, and tangible things; and depositions relating to:

    a. City and police policies related to protests and police-press interactions and compliance with the Court's temporary restraining order and preliminary injunction;

    b. Electronic key-word searches of a sampling of officer email and text messages;

    c. Police reports relating to specifically identified dates, times, and circumstances;

    d. Policies and agreements related to cooperation with other law-enforcement agencies;

    e. Policies related to officers' covering up their nametags with numbers (the City objects to discovery on this topic);

    f. The treatment of named plaintiffs, declarants, or other witnesses (the City objects to discovery regarding the treatment of "other witnesses").

2. The City will require from the Plaintiffs, as well as witnesses and declarants, answers

to interrogatories; requests for admission; discovery of documents, electronically stored information, and tangible things; and depositions relating to:

    a.   Each Plaintiff's participation and observations at the protests beginning May 29, 2020;

    b.   Each Plaintiff's alleged constitutional violations, including without limitation the date, time, location, and nature of the alleged violation;

    c.   Plaintiffs alleged injuries and damages incurred as a result of the events alleged in this case.

II.   Timing for Completion of Settlement Conference Discovery

The parties anticipate that the amount of time necessary to complete the written discovery necessary to engage in a productive settlement conference is 120 days, assuming discovery goes smoothly and without motion practice.

Both Plaintiffs and Defendant agree to the proposals set forth above, unless otherwise noted.

Dated: July 30, 2020

Respectfully submitted,

/s/ Naomi Sheffield

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